

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

\*

v.

\*

CASE NO. 2:05-CR-131-A

WILLIE JAMES BOSWELL,

\*

Defendant.

\*

**MOTION TO SUPPRESS EVIDENCE SEIZED  
FROM THE DEFENDANT OR HIS VEHICLE,  
AND ANY STATEMENTS MADE BY DEFENDANT  
IN CONNECTION THEREWITH**

Comes now the Defendant, Willie James Boswell, by and through his attorney, and respectfully moves for an Order suppressing all evidence, oral or tangible, obtained directly or indirectly from:

a. The arrest, detention and interrogation of the Defendant because the arrest, detention and interrogation of the Defendant, Willie James Boswell, were in violation of Defendant's constitutional rights to be free from unlawful searches and seizures under the Fourth Amendment of the U. S. Constitution.

b. Any items seized from the Defendant's vehicle were seized without probable cause, and without a search warrant, and said search and seizure were in violation of the Defendant's rights under the Fourth Amendment to the U. S. Constitution.

c. Any statements made by the Defendant after an unlawful search of his person or vehicle that may have resulted in incriminating statements made by the Defendant to law enforcement officers should be suppressed under the fruit of the poisonous tree doctrine.

WHEREFORE, counsel for Willie James Boswell respectfully requests the Court to order the suppression of all evidence resulting from the illegal search of the Defendant's person and/or vehicle.

*/S/ Benjamin E. Pool*  
BENJAMIN E. POOL (POO008)

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served upon the following by placing a copy of same in the United States Mail, postage prepaid and properly addressed on this the 3rd day of August, 2005.

United States Attorney  
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Honorable Zachary T. Collins  
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*/S/ Benjamin E. Pool*  
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